

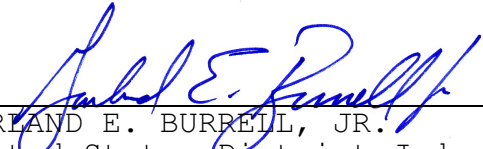
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA DEPARTMENT OF TOXIC)	
SUBSTANCES CONTROL,)	2:02-cv-00018-GEB-GGH
)	
Plaintiff,)	
)	<u>ORDER</u>
v.)	
)	
CHARLES V. KESTER, ET AL.,)	
)	
Defendants.)	
)	
_____)	
)	
AND RELATED CROSS-CLAIMS,)	
COUNTERCLAIMS, and THIRD-PARTY)	
ACTIONS)	
_____)	

On May 6, 2011, Plaintiff Department of Toxic Substances Control filed a request to continue the status conference scheduled for June 13, 2011. (ECF No. 1220.) The pretrial scheduling conference was rescheduled for October 17, 2011. (ECF No. 1221.) However, in Plaintiff's request it states there are "defaulting parties" against which Plaintiff will file motions for entry of default judgment prior to July 13, 2011. (ECF No. 1220.) Since Plaintiff uses the term "parties", the Court assumes one of the parties referenced is Keil Enterprises, Inc., a party not mentioned in a filing made on March 29, 2011. (ECF No. 1201.) A Clerk of the Court's Default was entered against Keil Enterprises, Inc. on October 7, 2010. (ECF No. 1170.)

1 If Plaintiff fails to file a motion for entry of default
2 judgment against Defendant Keil Enterprises, Inc. before the Magistrate
3 Judge on or before July 13, 2011, Plaintiff shall show cause in writing
4 no later than 4:00 p.m. on July 15, 2011, why this defendant should not
5 be dismissed for failure of prosecution.

6 Dated: May 26, 2011

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GARLAND E. BURRELL, JR.
United States District Judge